

Message Text

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ACTION SCA-01

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INFO AMEMBASSY MONTEVIDEO PRIORITY

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TAGS: CGEN

SUBJ: CONSULAR CONFERENCE IN MONTEVIDEO

REF: STATE 037712

1. CONGEN PLEASED TO LEARN OF MONTEVIDEO CONSULAR CONFERENCE MARCH 14 THRU 18. FREEING OFFICER TO ATTEND CONFERENCE WILL POSE SEVERE HARDSHIP TO ALREADY GREATLY OVERTAXED CONSULAR STAFF GUAYAQUIL, BUT POST IS PLANNING TO SEND FSO DONALD STADER AS ITS REPRESENTATIVE BARRING SERIOUS ILLNESS OR EMERGENCIES AFFECTING OTHER OFFICERS HERE. STADER HAS BEEN AT POST FOR A YEAR, AND HAS SERVED IN ALL AREAS OF CONSULAR OPERATIONS.

2. IN AREA OF IMMIGRANT VISAS, POST SUGGESTS FOLLOWING SUBJECTS BE DISCUSSED:

A) FRAUD INVESTIGATIONS AND ROLE OF LOCAL FSL INVESTIGATOR. GUAYAQUIL REPRESENTATIVE COULD PROVIDE SUBSTANTIAL CONTRIBUTION IN THIS AREA.

B) GENERAL ROLE OF IMMIGRATION LAWYERS, ESPECIALLY IN CASES OF APPLICANTS WHO HAVE OVERSTAYED IN U.S., AND ARE RETURNING

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ABROAD SOLELY TO APPLY FOR IV. AS PART OF THIS TOPIC, POST SUGGESTS DISCUSSION OF ACQUISITION OF JOB OFFERS OF QUESTIONABLE VALIDITY BY IMMIGRATION ATTORNEYS AS MECHANISM TO OVERCOME 212(A)(15) BY APPLICANTS WHO HAVE PREVIOUS HISTORY OF WEAK FINANCIAL PERFORMANCE WHILE IN U.S., ; AND WHETHER FOREIGN SERVICE POSTS AND DEPT ARE PAYING TOO MUCH ATTENTION TO CASES INVOLVING SUCH LAWYERS, THUS STRENGTHENING THEIR HANDS

AT THE EXPENSE OF ECONOMICALLY DISADVANTAGED IMMIGRANTS, WHO ARE OFTEN CHARGED HIGH FEES. GUAYAQUIL REP COULD ALSO PROVIDE SUBSTANTIAL CONTRIBUTION ON THIS ISSUE.

C) EXPERIENCE OF FOREIGN SERVICE POSTS IN TRYING TO COPE WITH INCREASED WORKLOAD DEMANDS CREATED BY IMPACT OF 1976 AMENDMENTS TO INA, AND DEPARTMENT'S PLANS FOR MEETING PROBLEM.

D) PROCESSING OF IV CASES FROM BEGINNING TO END AT VARIOUS POSTS, INCLUDING NITTY-GRITTY ASPECTS, TO TRY TO DETERMINE WHAT STREAMLINING INNOVATIONS MAY HAVE BEEN DEVELOPED. RELATED TO THIS TOPIC, DISCUSSION OF HOW POSTS PROVIDE INFORMATION TO PROSPECTIVE APPLICANTS WHO APPEAR TO INQUIRE ABOUT THEIR CASES. SUGGEST REPS BRING WITH THEM COPIES OF LOCALLY PRODUCED FORM LETTERS.

E) PROPERTY GUIDELINES FOR DETERMINING WHETHER IV APPLICANTS WILL BECOME PUBLIC CHARGES IN U.S. SHOULDN'T REALISTIC COST OF RELOCATING AND MAINTAINING IMMIGRANT FAMILIES IN U.S. BE SUBSTANTIALLY HIGHER THAN LISTED IN THE GUIDELINES?.

F) INVESTOR'S VISAS. WHAT IS ACCEPTABLE INTERPRETATION OF "ACTUALLY IN THE PROCESS OF INVESTING" UNDER NEW REGULATIONS? WHY IS SOURCE OF FUNDS WHICH ARE TO BE INVESTED IMMATERIAL?

G) THIRD AND SIXTH PREFERENCE APPLICANTS, ESPECIALLY MEDICAL DOCTORS, UNDER NEW LAW.

H) CHILEAN REFUGEE PROGRAM AND HOW IT AFFECTS OTHER LATIN LIMITED OFFICIAL USE

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AMERICAN POSTS. WHAT CRITERIA ARE BEING USED FOR APPLICANTS OUTSIDE OF CHILE?

3. IN INS AREA:

A) WHAT CAN BE DONE TO ENCOURAGE MORE ADJUSTMENTS OF STATUS BY APPLICANTS IN U.S. RATHER THAN APPLYING FOR IVS AT FOREIGN SERVICE POSTS ABROAD?.

B) ABILITY OF INS TO CARRY OUT INVESTIGATIONS REQUESTED BY FOREIGN SERVICE POSTS, CONSIDERING THAT AGENCY'S LIMITED STAFF.

4. IN NON-IMMIGRANT VISAS:

A) COMPUTER VLOS HOOKUPS FOR MORE POSTS IN AREA.

4.B. DISCUSSION OF POSSIBILITY OF SIGNIFICANTLY MODIFYING 212(A)(28) FOR NIV CASES TO APPLY ONLY

TO ACTIVE COMMUNISTS, THUS ELIMINATING IN ELIGIBILITY
IN CASES WHERE, FOR EXAMPLE, APPLICANT WAS AFFILIATED
OR MEMBER OF COMMUNIST ORGANIZATION IN HIS YOUTH, BUT
IS NOW PROMINENT BUSINESSMAN OR COMMUNITY LEADER.
CONSTITUTIONALITY OF THIS SECTION OF LAW. ALSO, POSSIBILITY
OF LIBERALIZING CRITERIA FOR RELIEF
UNDER 212(A) (28) (I) (II) IN IV AS WELL AS NIV CASES.

5. IN PROTECTION AND WELFARE:

A) THE ROLE OF FOREIGN SERVICE POSTS IN INVESTIGATION
OF W/W OF MISSING AMERICANS.

6. IN DEATH AND ESTATES:

A) POSSIBILITY OF ELIMINATING ROUTINE REQUIREMENT TO
FORMALLY INVENTORY ALL ARTICLES IN PERSONAL EFFECTS OF
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DECEASED WHEN NOK NOT PRESENT. INSTEAD MAKE PROVISION
WHEREBY SPECIFIC ITEMS OF CLOTHING NEED NOT BE INVENTORIED
UNLESS NOK SO REQUESTS AND PAYS EXTRA FEE TO REFLECT TIME
INVOLVED FOR THREE FOREIGN SERVICE EMPLOYEES TO
CONDUCT INVENTORY. CONSIDERING OTHER DEMANDS ON LIMITED
CONSULAR RESOURCES, HOW ESSENTIAL IS IT TO OCCUPY
THREE EMPLOYEES' TIME COUNTING SOCKS AND LINGERIE, AND
WOULD MAJORITY OF NOK REALLY EXPECT US TO DO THIS? AFTER
DECADES OF THIS PRACTICE, CAN'T WE ADOPT A LESS DETAILED
PROCEDURE?

7. FOR MONTEVIDEO:

GUAYAQUIL REP STADER WILL BE ACCOMPANIED
BY WIFE, AND HIS ETA AND FLIGHT NUMBER WILL FOLLOW
IN SEPTTEL. ASSUME YOU WILL MAKE ARRANGEMENTS FOR
SUITABLE HOTEL RESERVATIONS.
BISHTON

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